

ANTHONY P. DELLUNIVERSITA

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March 15, 2019

Hon. Judge A. Kathleen Tomlinson
United States District Court Magistrate Judge
Eastern District of New York
Long Island Courthouse
100 Federal Plaza- Courtroom 910
Central Islip, NY 11722

RE: Stevens Baldo & Lighty, PLLC vs. Anthony J. Delluniversita et. al
Civil Action No.: 2:18-cv-1600

Judge Tomlinson:

Pursuant to section *I (D) Requests for Adjournments or Extension of Time*, of Your Honor's Individual Practice Rules I am respectfully requesting an adjournment of the initial discovery conference scheduled for March 22, 2019 at 10 am in Central Islip, NY courthouse. There have been no prior applications for an adjournment or extension of time in this matter. The reason for the requested adjournment is that my wife is scheduled to be in surgery on March 21, 2019 for a four to six hour surgery. We will not know whether she will need to stay overnight until she is in recovery. I had cleared my schedule for March 21, 2019 and March 22, 2019 so that I can be available to help her and be there for my children. We have three small boys, my two youngest twin boys are eleven months old and we have a four year old boy. My wife will not be able to physically care for our children for a week. I am respectfully requesting the initial discovery conference be adjourned for two weeks.

I reached out to my adversary letting him know my wife is having surgery and I will be requesting an adjournment. I asked if he would consent and if so to please send me proposed dates so that I may offer those dates in my request. Not surprisingly he responded with his usual condescending, inappropriate and unfounded banter. For some reason my adversary believes he is entitled to information regarding my wife's surgery. I find his request for personal information regarding my wife's surgery unprofessional, intrusive and outright disgusting. As an officer of the court the insinuation that I would be fabricating my wife having surgery is insulting and offensive. This is not the first time that my adversary has made such an outlandish statement. He insinuated the same theory in January when my twin sons were getting surgeries. The insinuation is puzzling considering the numerous admitted misrepresentations he has made since the commencement of this matter.

Should Your Honor require any documentation or proof from my wife's surgeon regarding her scheduled surgery I would certainly provide the court with that information. However, it would only be provided ex parte as I will not allow this individual to have any information regarding my family, regardless of the insignificance of such information. He has proven himself vindictive, calculated and operating with one agenda, which is to use any and all tactics to bully his way to a settlement of some kind.

His previous antics that are documented include but are not limited to, him and his process server, cursing at my 65 year old mother on multiple occasions, in front of my son, who was three years old at the time and my six year old niece. He proceeded to then continue to curse at and degrade my mother and wildly throw his motion at my mother while she was outside playing with her grandchildren. He then sped away screeching the tires of his car and leaving marks on the road way behind him. He also contacted my old law firm and outright lied to them that I had entered a notice of appearance in this matter with under their name. He very well knew that my notice was not under my old law firm as I had left there by the time this action began. His sole intention was to cause trouble. His process server is violent and aggressive and is on video tape cursing and running into an office of my cousin, who is not involved in this action, flinging papers everywhere and actually hitting an employee with the stack of papers she tossed. She did this while my adversary was waiting in the car as the getaway driver. He must have found it easy to yell and intimidate a 65 year old woman but was too much of a coward to enter my cousin's office so he sent his process server. What is worse is that they were serving the wrong person and were told three previous times they have the wrong "Paul Delluniversita" he is not the defendant just a relative with the same name.

This is just a few of the troublesome acts of my adversary. I will not consent to him having any information regarding my wife's surgery as I am not sure what he will do with even the slightest bit of information. I appreciate Your Honor's consideration of my request. Should additional information be required please do not hesitate to contact me. Thank you.

Respectfully, defendants request an adjournment of the initial discovery conference scheduled for March 22, 2019 for two weeks or any date convenient to the court.

Sincerely,

/s/ Anthony P. DellUniversita

Anthony P. DellUniversita (APD-9294)
Attorney for Defendants

cc: Kenneth G. Walsh via ECF
via Fed. Ex. 100 S. Bedford Road, 3rd Fl Mt. Kisco, NY

CERTIFICATE OF SERVICE

I hereby certify that on March 15, 2019, the foregoing document was served in accordance with the Federal Rules of Civil Procedure and/or the Eastern District's Local Rules and/or the Eastern District's Rules on Electronic Service, upon the following parties and participants:

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